

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ATASCADERO UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2015041074

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On April 21, 2015, Student filed a Due Process Hearing Request (complaint), naming the Atascadero Unified School District. On June 22, 2015, Student filed a Motion to Amend the Due Process Hearing Request, accompanied by a proposed amended complaint adding allegations of relevant events occurring subsequent to the original filing. On June 23, 2015, Atascadero filed a notice of non-opposition to the motion.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: June 25, 2015

/s/

CHARLES MARSON
Administrative Law Judge
Office of Administrative Hearings

